



PATENT
8007-1105

IN THE U.S. PATENT AND TRADEMARK OFFICE

In re application of

Toru YANO et al

Conf. 1688

Application No. 10/566,258

Group 1756

Filed January 30, 2006

Examiner Martin J. Angebranndt

CYANINE COMPOUNDS, OPTICAL RECORDING
MATERIALS AND OPTICAL RECORDING MEDIA

**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE
PATENTING REJECTION OVER PENDING SECOND APPLICATIONS**

Assistant Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

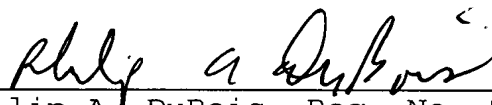
ASAHI DENKA CO., LTD., owner of 100 percent interest in the instant application, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 USC 154 to 156 and 173, as shortened by any Terminal Disclaimer filed prior to the grant of any patent granted on second pending United States Patent Application Numbers 10/973,444 and 10/899,027. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second applications are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 USC 154 to 156 and 173 of any patent granted on the second applications, as shortened by any Terminal Disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any Terminal Disclaimer filed prior to its grant.

The undersigned is an attorney of record.

Respectfully submitted,

YOUNG & THOMPSON



Philip A. DuBois, Reg. No. 50,696
745 South 23rd Street
Arlington, VA 22202
Telephone (703) 521-2297
Telefax (703) 685-0573
(703) 979-4709

PD/lk/jlw